



Order Filed on April 7, 2021
by Clerk,
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT DISTRICT OF NEW JERSEY (NEWARK)
Caption in Compliance with D.N.J. LBR 9004-2(c) Robertson, Anschutz, Schneid, Crane & Partners, PLLC 130 Clinton Road, Suite 202 Fairfield, NJ 07004 Telephone Number: 973-575-0707 Attorneys For Secured Creditor
In Re: Pedro A. Viera, Debtor.

Case No.: 18-24470-SLM

Chapter: 13

Judge: Stacey L. Meisel

**CONSENT ORDER REGARDING TREATMENT OF POST-PETITION ARREARS
PURSUANT TO FORBEARANCE AGREEMENT**

The relief set forth on the following pages, numbered two (2) through three (3) is hereby
ORDERED.

DATED: April 7, 2021

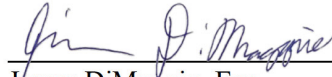

Honorable Stacey L. Meisel
United States Bankruptcy Judge

THIS MATTER having come before the Court on the Debtor's Request to Forbear Mortgage Payments, by and through his counsel, James DiMaggio, and Wilmington Trust, National Association, not in its individual capacity but solely as successor trustee to Citibank, N.A. as Trustee to Lehman XS Trust Mortgage ("Secured Creditor") the Secured Creditor on the Debtor's real property located at 272-274 Kearney Street, Paterson, New Jersey 07522 (the "Property"), and Robertson, Anschutz, Schneid, Crane & Partners, PLLC, representing the Secured Creditor, and the parties agreeing to the entry of the Order resolving repayment of forborne mortgage payments, and for good cause shown; it is ORDERED AND DECREED as follows:

1. Secured Creditor filed its Proof of Claim on September 7, 2018 as Claim 5-1. Pursuant to the Proof of Claim, the pre-petition arrears owed Secured Creditor are \$48,854.64.
2. On or about September 22, 2020, Secured Creditor filed its Notice of Request for Mortgage Forbearance Due to the Covid-19 Pandemic (See Docket No. 88). Pursuant to the Notice of Request for Mortgage Forbearance, the parties agreed to forbear post-petition obligations that would come due for one-hundred eighty-one (181) days from September 1, 2020 through and including February 28, 2021.
3. As of **February 1, 2021**, Debtor is due for the following post-petition arrears:
 - June 1, 2020 through and including the July 1, 2020 payment in the amount of \$1,878.05 per month;
 - August 1, 2020 through and including the February 1, 2021 payment in the amount of \$1,940.44 per month;
 - Less \$888.12 in suspense
 - Total delinquency in the amount of \$16,451.06
4. The Debtor has applied for and is currently in the process of being accepted into the Court's Loss Mitigation Program. Secured Creditor will not demand the remaining post-petition arrears pending the Debtor's Application for a Loan Modification. However, if a Loan Modification is not achieved within ninety (90) days of termination of the Forbearance Agreement, or as otherwise extended by Court Order, the Debtor shall have fourteen (14) days to file a Modified Plan to either cure the arrears or surrender the Subject Property. If a Loan Modification is denied prior to the aforementioned ninety (90) day period, the Debtor shall have fourteen (14) days from the date in which a Denial Letter is issued to file a Modified Plan to either cure the arrears or surrender the Subject Property.
5. The amount of \$16,451.06 shall be capitalized into the Debtor's Chapter 13 Plan. Debtor must file a Modified Plan within fifteen (15) days of the entry of this Order. The Debtor's monthly payment to the Chapter 13 Trustee will be modified to an amount necessary to appropriately fund the Plan in accordance with this Order in the event a Loan Modification is denied.

6. Debtor shall commence ongoing post-petition payments in the amount of \$1,940.44 directly to Secured Creditor commencing on March 1, 2021. This amount is subject to change based on escrow and/or interest rate adjustments.
7. Secured Creditor shall retain its first mortgage lien on the Property and none of its rights are being modified.
8. The parties agree that this Consent Order in no way alters, amends, or invalidates any applicable bankruptcy remedies afforded to them.
9. Facsimile signatures shall be valid as original signatures and this Consent Order may be executed in counterparts.
10. This order shall be incorporated in and become part of any Order Confirming Plan in the herein matter.

The undersigned hereby consent to the form and entry of the foregoing order.



James DiMaggio, Esq.
Attorney for Debtor
Date: 2/1/2021

/s/ Shauna M. Deluca
Shauna M. Deluca Esq.
Attorney for Secured Creditor
Date: January 28, 2021

In re:
Pedro A. Viera
Debtor

Case No. 18-24470-SLM
Chapter 13

CERTIFICATE OF NOTICE

District/off: 0312-2
Date Rcvd: Apr 07, 2021

User: admin
Form ID: pdf903

Page 1 of 2
Total Noticed: 1

The following symbols are used throughout this certificate:

Symbol	Definition
+	Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP.

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Apr 09, 2021:

Recip ID	Recipient Name and Address
db	+ Pedro A. Viera, 272 Kearney Street, Paterson, NJ 07522-1922

TOTAL: 1

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, *duplicate of an address listed above, *P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.

Date: Apr 09, 2021

Signature: /s/Joseph Speetjens

CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on April 7, 2021 at the address(es) listed below:

Name	Email Address
Denise E. Carlon	on behalf of Creditor Toyota Motor Credit Corporation dcarlon@kmlawgroup.com bkgroup@kmlawgroup.com
Jeanette F. Frankenberg	on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper as servicing agent for Wilmington Trust National Association, not in its individual capacity but solely as successor trustee to Citibank, N.A. as Trustee to L cmecf@sternlav.com
Jeanette F. Frankenberg	on behalf of Creditor Nationstar Mortgage LLC as servicing agent for Wilmington Trust National Association, not in its individual capacity but solely as successor trustee to Citibank, N.A. as Trustee to Lehman XS Trust Mo cmecf@sternlav.com
Kevin Gordon McDonald	on behalf of Creditor Toyota Motor Credit Corporation kmcdonald@kmlawgroup.com bkgroup@kmlawgroup.com
Kevin M. Buttery	on behalf of Creditor WILMINGTON TRUST NATIONAL ASSOCIATION NOT IN ITS INDIVIDUAL CAPACITY BUT SOLELY AS SUCCESSOR TRUSTEE TO CITIBANK N.A. AS TRUSTEE TO LEHMAN XS TRUST MORTGAGE PASS-THROUGH CERTIFICATES SERIES 2006-17 bkyefile@rasflaw.com

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Laura M. Egerman

on behalf of Creditor WILMINGTON TRUST NATIONAL ASSOCIATION NOT IN ITS INDIVIDUAL CAPACITY BUT
SOLELY AS SUCCESSOR TRUSTEE TO CITIBANK N.A. AS TRUSTEE TO LEHMAN XS TRUST MORTGAGE
PASS-THROUGH CERTIFICATES SERIES 2006-17 bkyecf@rasflaw.com bkyecf@rasflaw.com;legerman@rasnj.com

Marie-Ann Greenberg

magecf@magtrustee.com

Rebecca Ann Solarz

on behalf of Creditor Toyota Motor Credit Corporation rsolarz@kmlawgroup.com

Shauna M Deluca

on behalf of Creditor WILMINGTON TRUST NATIONAL ASSOCIATION NOT IN ITS INDIVIDUAL CAPACITY BUT
SOLELY AS SUCCESSOR TRUSTEE TO CITIBANK N.A. AS TRUSTEE TO LEHMAN XS TRUST MORTGAGE
PASS-THROUGH CERTIFICATES SERIES 2006-17 sdeluca@raslg.com

Shauna M Deluca

on behalf of Creditor Nationstar Mortgage LLC d/b/a Mr. Cooper as servicing agent for Wilmington Trust National Association,
not in its individual capacity but solely as successor trustee to Citibank, N.A. as Trustee to L sdeluca@raslg.com

Sindi Mncina

on behalf of Creditor WILMINGTON TRUST NATIONAL ASSOCIATION NOT IN ITS INDIVIDUAL CAPACITY BUT
SOLELY AS SUCCESSOR TRUSTEE TO CITIBANK N.A. AS TRUSTEE TO LEHMAN XS TRUST MORTGAGE
PASS-THROUGH CERTIFICATES SERIES 2006-17 smncina@raslg.com

U.S. Trustee

USTPRegion03.NE.ECF@usdoj.gov

Warren D. Levy

on behalf of Debtor Pedro A. Viera jday@keaveneylegalgroup.com
jdimaggio@keaveneylegalgroup.com;r46514@notify.bestcase.com;3295273420@filings.docketbird.com;casedriverecf@casedriv
er.com

TOTAL: 13